

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

Case No. 17-BK-3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT  
BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND TRANSPORTATION  
AUTHORITY,

Debtors.

PROMESA

Title III

Case No. 17 BK 3567-LTS

AMERINATIONAL COMMUNITY SERVICES, LLC, as  
Servicer for the GDB Debt Recovery Authority, and CANTOR-  
KATZ COLLATERAL MONITOR LLC,

Plaintiffs,

Adv. Pro. No. 21-00068-LTS

v.

AMBAC ASSURANCE CORPORATION, ASSURED  
GUARANTY CORP., ASSURED GUARANTY MUNICIPAL  
CORP., FINANCIAL GUARANTY INSURANCE COMPANY,  
NATIONAL PUBLIC FINANCE GUARANTEE

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<sup>1</sup>The Debtors in these Title III cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's Federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 04780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

CORPORATION, PEAJE INVESTMENTS LLC, and THE BANK OF NEW YORK MELLON, as Fiscal Agent,

Defendants.

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AMBAC ASSURANCE CORPORATION, ASSURED GUARANTY CORP., ASSURED GUARANTY MUNICIPAL CORP., NATIONAL PUBLIC FINANCE GUARANTEE CORPORATION, FINANCIAL GUARANTEE CORPORATION, FINANCIAL GUARANTY INSURANCE COMPANY, and PEAJE INVESTMENTS LLC,

Adv. Pro. No. 21-00068-LTS

Counterclaim Plaintiffs/Third Party Plaintiffs,

v.

AMERINATIONAL COMMUNITY SERVICES, LLC, as Servicer for the GDB Debt Recovery Authority, and CANTOR-KATZ COLLATERAL MONITOR LLC,

Counterclaim Defendants,

and

GDB DEBT RECOVERY AUTHORITY,

Third-Party Defendant.

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**COUNTERCLAIM PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO FED R. CIV. P. 41 AND FED. R. BANKR. P. 7041**

To the Honorable Court:

Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(i) and 41(c), which have been made applicable to this proceeding by Federal Rule of Bankruptcy Procedure 7041, defendants and counterclaim plaintiffs Ambac Assurance Corporation, Assured Guaranty Corp., Assured Guaranty Municipal Corp., Financial Guaranty Insurance Company, National Public Finance Guarantee Corporation, and Peaje Investments LLC (the “Counterclaim Plaintiffs”) respectfully submit this Notice voluntarily dismissing without prejudice their counterclaims and third-party claims asserted against the DRA and the DRA Parties in *Defendants’ Answer, Defenses, and Counterclaims* (Aug. 26, 2021) (ECF. No. 43) (“Counterclaims”).<sup>2</sup> Although the DRA and DRA Parties have filed a pending motion to dismiss the Counterclaims (ECF No. 80), they have not filed an answer or other responsive pleading, nor has the Court conducted any hearing or trial on the Counterclaims. Accordingly, by this Notice, and without an order of the Court, the Counterclaims may be and hereby are voluntarily dismissed without prejudice. Fed. R. Civ. P. 41(a)(1)(A)(i); Fed. R. Civ. P. 41(c).

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“DRA” refers to the GDB Debt Recovery Authority. “DRA Parties” refers collectively to AmeriNational Community Services, LLC (in its capacity as servicer for the DRA) and Cantor-Katz Collateral Monitor (in its capacity as collateral monitor for the DRA). “ECF No.” refers to the docket in adversary proceeding no. 21-00068-LTS.

Dated: November 2, 2021  
San Juan, Puerto Rico

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that I caused this document to be filed electronically with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record in the captioned case.

At San Juan, Puerto Rico, November 2, 2021.

By: /s/ Eric Pérez-Ochoa